

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

Joseph Junior LAPORTA (1)

Connie ZUNIGA (2)

Defendants.

Magistrate Case No.: 08MJ8397

COMPLAINT FOR VIOLATION OF

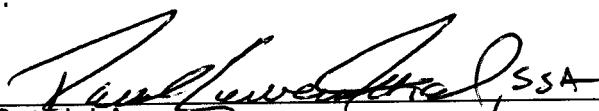
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

"AMENDED"


The undersigned complainant being duly sworn states:

That on or about May 8, 2008, within the Southern District of California, defendants Joseph Junior LAPORTA and Connie ZUNIGA did knowingly and intentionally import approximately 42.14 kilograms (90.50 pounds) of marijuana a Schedule I Controlled Substance into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 & 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 12TH DAY
OF MAY 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Joseph Junior LAPORTA (1)

4 Connie ZUNIGA (2)

5 STATEMENT OF FACTS

6 The complaint is being amended to reflect the correct date of arrest of May 8,
7 2008.

8 This statement of facts is based on the reports, documents, and notes furnished
9 to U. S. Immigration and Customs Enforcement Special Agent Frank Gonzalez.

10 On May 8, 2008, at approximately 0844 hours, Joseph Junior LAPORTA Connie
11 ZUNIGA entered the United States at the Calexico West, California, Port of Entry.
12 LAPORTA was the driver and registered owner of a 2001 Honda Odyssey. ZUNIGA
13 was his wife and the passenger of the vehicle.

14 Customs & Border Protection (CBP) Officer Garcia was conducting pre-primary
15 operations when CBP Officer Barela informed him that his assigned Narcotic Detector
16 Dog (NDD) alerted to the 2001 Honda Odyssey. CBP Officer Garcia approached
17 LAPORTA presented a valid California driver's license. CBP Officer Garcia received a
18 negative Customs declaration stating he was only bringing tamales. CBP Officer Garcia
19 asked LAPORTA what was the purpose of his trip to Mexico. LAPORTA stated that they
20 were visiting ZUNIGA's (wife) relatives. LAPORTA added that he was on his way to
21 work as a real estate agent. Both LAPORTA and ZUNIGA were escorted to vehicle
22 secondary for further inspection.

23 Once in vehicle secondary, CBP Officer Garcia conducted an intensive
24 inspection of the vehicle revealing a non-factory compartment in the rear area of the
25 floor of the vehicle. The vehicle was then screen by the x-ray van, which revealed
26 anomalies in the rear area of the van. CBP Officer Garcia pryed open the access plate
27 to the non-factory compartment and large plastic wrapped bundles were visible. A total
28 of 21 packages were removed from the compartment. One package was probed and
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1 the green leafy substance field-tested positive for the presence of marijuana a
2 Schedule I Controlled Substance.

3 The 21 packages had a combined net weight of approximately 42.14 kilograms
4 (90.50 pounds).

5 LAPORTA was placed under arrest and advised of his Constitutional Rights,
6 which he acknowledged but denied knowledge of the marijuana concealed within the
7 vehicle. LAPORTA stated he bought the vehicle approximately one week and a half
8 ago and paid \$8,000.00 for the vehicle. LAPORTA stated that he was going to drop off
9 ZUNIGA at her aunt's house in El Centro, California and then going to Indio, California
10 to show houses.

11 ZUNIGA was placed under arrest and advised of her Constitutional Rights, which
12 she acknowledged but denied knowledge of the marijuana concealed in the vehicle.
13 ZUNIGA stated that LAPORTA purchased the vehicle approximately three weeks ago
14 and paid \$6,000.00. ZUNIGA stated that they were headed to Los Angeles to pick up
15 business magnets for her husbands real estate business.

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